



July 24, 2020 | 1ST REVISION October 13, 2020 | 2ND REVISION November 4, 2020, edited December 4, 2020
Southwood ZMA 2018-003
Dear Megan :

Please accept this request for the following variations to ZMA 2018-003 Southwood Phase 1 Neighborhood Model District Code of Development. Below, you will find the provision of the code, a description of the approved standard, and the reason(s) for the requested variation.

Variations to Building Regulations Table 5 page 13

1. Garage Setback regulations in Table 5 on page 13 of Code of Development for ZMA 2018-003 Southwood Phase 1 Neighborhood Model District: As approved, the Code of Development provides Garage Setbacks from framework streets in compliance with Zoning Ordinance 4.19 in blocks 3 - 4 and does not allow framework-street-facing garages in any other block (see **attachment 1** for the original version of Table 5 as approved). This application seeks a variation to allow framework-street-facing garages in compliance with 4.19 for blocks 5 - 8 in addition to blocks 3 - 4 (see **attachments 2A** for a map of the area affected by this request). The rezoning originally intended to allow framework-street-facing garages in blocks 3 - 8 and the prohibition of front-load garages for blocks 5 - 8 was an oversight. To allow framework-street-facing, front-load garages would bring blocks 5 - 8 in alignment and equal to the adjacent blocks 3 and 4, as originally intended. Further, to allow framework-street-facing garages in blocks 5 - 8 will allow the following design goals to be fulfilled and enhanced (please see **attachment 2B** for an example of each):

- In blocks 6 - 8, lots are shallow and narrow and back to the green space, preserved slopes, and/or stream buffer of blocks 1 and 2. Front-load garages in these areas will allow units to satisfy parking requirements while providing some yard space by reducing surface parking area. Alley access, which would be required for rear-load garages in blocks 6 - 8, would be detrimental to the green space and trail buffer, again making framework street-facing, front-load garages a preferred option for these lots.
- In block 5, lots back to the recreational amenity space. A central tenant of the resident design is that residential units create a sense of protection and enclosure around the recreational amenity. Alleys and surface parking structures required to comply with a relegated parking scheme would contradict the residents' goal of providing back doors with direct access to a safe, vehicle-free play area.

In addition to the garage setback requests in blocks 5 - 8, we have clarified the garage setback language from blocks 9 - 12 of Table 5 of the COD which originally stated: "Framework street facing garage openings and/or garage doors are not allowed in this block. All garage access must be side loaded or relegated to the rear of the building" to instead read: "Framework street facing garage openings and/or garage doors are not allowed in this block - all garage access must be side loaded, relegated to the rear of the building, **or accessed from a non-framework street or alley.**" This change is simply intended to clarify the original meaning: that a front-load garage is determined to be such only in relation to a framework street, not in relation to non-framework streets or alleys. This change has been highlighted in **attachment 4**.

We have also clarified the language in Note C of Table 5 of the COD which originally stated: "The wall plane of all street facing garages must be set back a minimum distance of three feet (3') from the primary street facing building façade" to instead read: "The wall plane of all street facing garages must be set back a minimum distance of three feet (3') from the primary street facing building façade **or from the front porch.**" This change has been highlighted in **attachment 4**.

2. Rear Setbacks for Blocks 6 - 8 in Table 5 on page 13 of the Code of Development: As approved, the Code of Development provides a minimum rear setback in blocks 6 - 8 of 5 feet (see **attachment 1** for the original version of Table 5 as approved). This application seeks a variation to allow no minimum rear setback in blocks 6 - 8 (see **attachment 3A** for a map of the area affected by this request). **This will bring the rear setback for blocks 6 - 8 in alignment with adjacent blocks 3 and 4** and will allow the opportunity to maximize buildable area in lots that typically backup to the stream buffer, flood plain, or preserved slopes. As lots are not allowed within the stream buffer, flood plain, or preserved slopes, these areas will be protected **and any grading within a residential lot will not be allowed to disturb these environmental features.** Please see **attachment 3B** for an example of lots and proposed setback request for blocks 6 - 8.

Please find **attachment 4** for an example of final modifications to Table 5 of page 13 of the Code of Development for ZMA 2018-003 should requests 1 and 2 be granted.

Thank you, Whitney McDermott | *architect AIA* | wmcdermott@brwarchitects.com

ATTACHMENT 1: ORIGINAL TABLE 5 FROM APPROVED CODE OF DEVELOPMENT

formerly ATTACHMENT 1A

ATTACHEMENT 1A: ORIGINAL TABLE 5 FROM APPROVED CODE OF DEVELOPMENT

SOUTHWOOD PHASE I – A NEIGHBORHOOD MODEL DISTRICT – CODE OF DEVELOPMENT JULY 8, 2019 REV. JULY 29, 2019

6.0 BUILT FORM REQUIREMENTS BY BLOCK

TABLE 5: SETBACK + BUILDING REGULATIONS BY BLOCK

REQUIREMENT	BLOCKS 3 – 4	BLOCK 5	BLOCKS 6 – 9	BLOCKS 10 -12	NEIGHBORHOOD CENTER SPECIAL AREA 115' measured on both sides from Hickory Street right-of-way
BUILDING HEIGHT MIN MAX	NO MIN 3 STORIES OR 35'	NO MIN 3 STORIES OR 40'	NO MIN 3 STORIES OR 45'	2 STORIES 4 STORIES OR 45'	2 STORIES 4 STORIES OR 50'
FRONT SETBACK MIN MAX	5' 25'	5' 25'	5' 25'	5' 18' ^A	FRONTS SHALL ORIENT TOWARDS HICKORY 10' 28' ^A
STEPBACK ^D MIN AT BUILDING HEIGHT OF	NA	NA	15' ^E 40'	15' ^E 40'	15' ^E 3 STORIES OR 45'
SIDE SETBACK MIN MAX	3' NO MAX	3' NO MAX	5' NO MAX	5' NO MAX	NO MIN NO MAX
REAR SETBACK MIN MAX	NO MIN NO MAX	5' NO MAX	5' NO MAX	5' NO MAX	NO MIN NO MAX
TRAIL BUFFER SETBACK ^B MIN MAX	NA	NA	BLOCKS 6 – 8: NA BLOCKS 9: 20' MIN/NO MAX	20' MIN NO MAX	0' MIN NO MAX
GARAGE SETBACK ^C FRONT ACCESS MIN/MAX	TO COMPLY WITH 4.19 ^C / NO MAX	FRAMEWORK STREET FACING GARAGE OPENINGS AND/OR GARAGE DOORS ARE NOT ALLOWED IN THESE BLOCKS. ALL GARAGE ACCESS MUST BE SIDE LOADED OR RELEGATED TO THE REAR OF THE BUILDING.			
MAX PORCH AND DECK ENCROACHMENT	4'	4'	4'	4'	9'
MAX EAVE AND OVERHANG ENCROACHMENT	2'	2'	3'	3'	3'
SINGLE BUILDING FOOTPRINT MAX NON-RESIDENTIAL	3,000 SF	3,000 SF	10,000 SF	20,000 SF	20,000 SF
STREET FACING BUILDING LENGTH MIN MAX MIN AIR PASSAGE WIDTH	NO MIN 200' 10'	NO MIN 200' 10'	NO MIN 200' 10'	NO MIN 200' 10'	50' 275' 10'

^A Up to an additional 22' of front setback may be provided for non-residential and mixed-use buildings for use as a front patio or courtyard and shall not exceed 25% of the length of the front facade.

^B In Block 11, for buildings over two (2) stories adjacent to the trail buffer, parking and or drive aisles shall be between the building and the trail buffer.

^C The wall plane of all street facing garages must be set back a minimum distance of three feet (3') from the primary street facing building facade

^D A stepback is not required for buildings with a front setback of at least 15'.

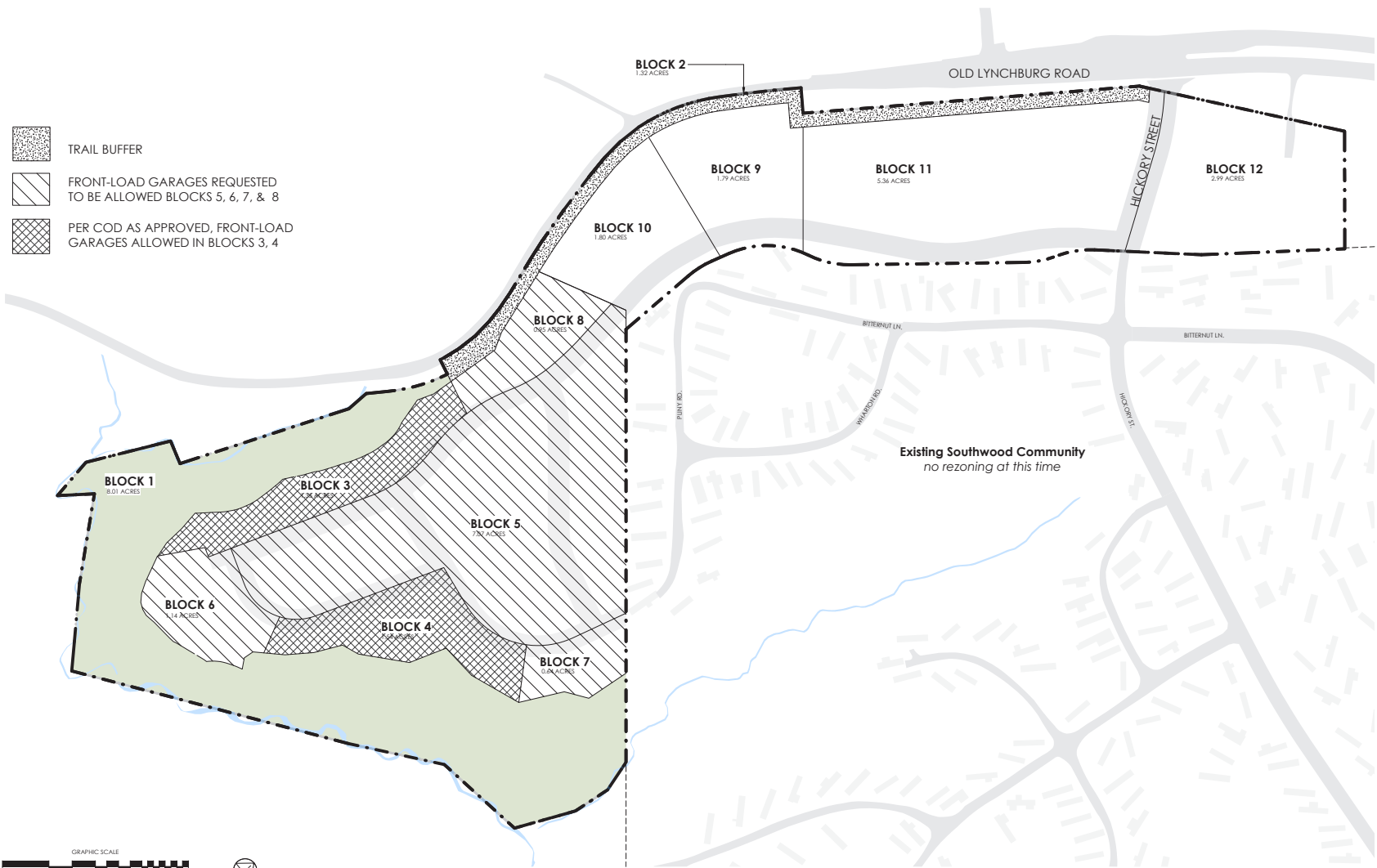
^E Stepbacks apply to non-residential and multifamily residential buildings only.

^F Coops, other agricultural use structures, and other accessory buildings except for Flexible Use Structures and Accessory Apartments must meet accessory structure setbacks (4.11.2).

^G Flexible Use Structures as defined in the Code of Development have the same minimum setbacks as the principal buildings with which they share a lot except for rear and side setbacks, which shall be a minimum of 3'.

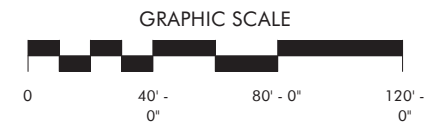
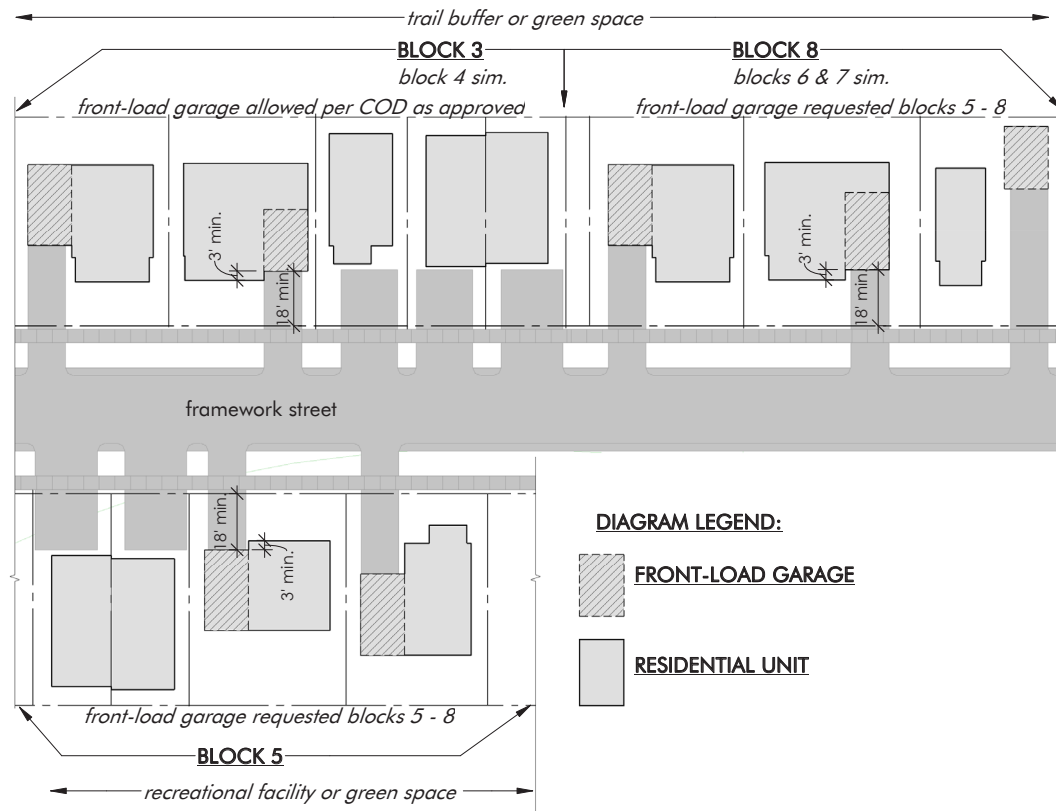
ATTACHMENT 2A: AREA AFFECTED BY REQUESTED VARIATION

formerly ATTACHMENT 1B



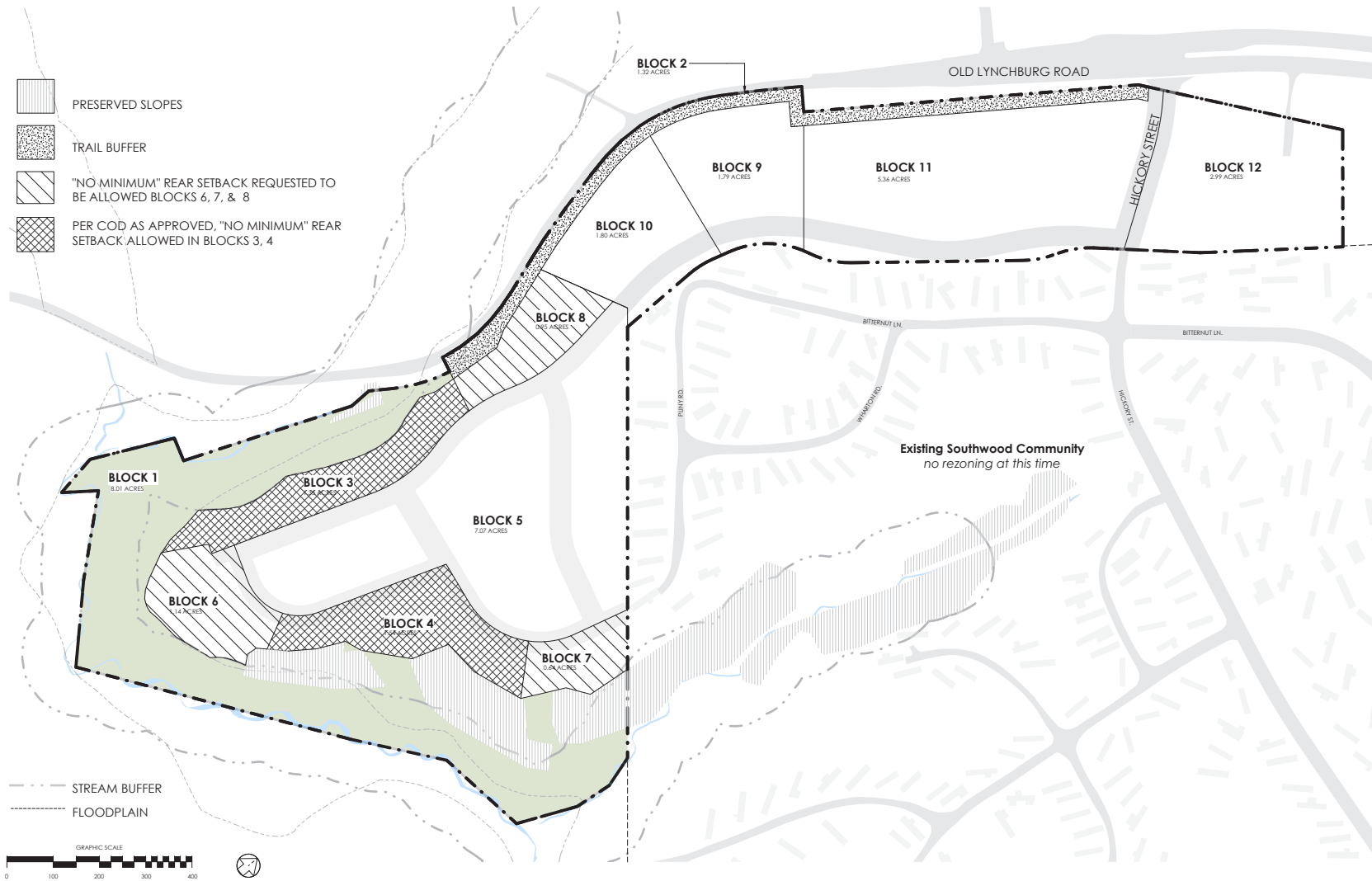
ATTACHMENT 2B: FRONT-LOAD GARAGE SCENARIOS

FRONT-LOAD GARAGE SCENARIOS

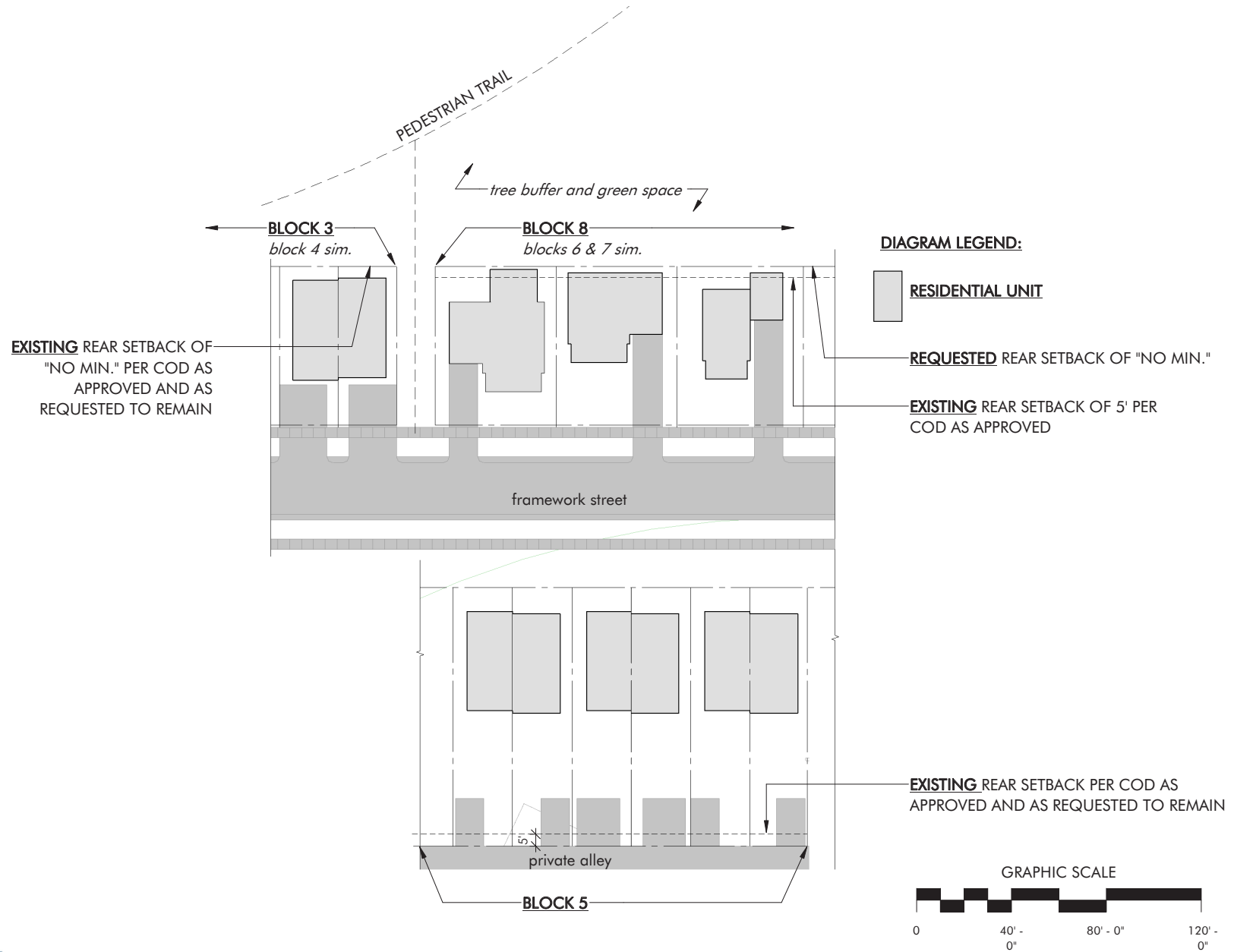


ATTACHMENT 3A: AREA AFFECTED BY REQUESTED VARIATION

formerly ATTACHMENT 2B



ATTACHMENT 3B: "NO MIN." REAR SETBACK SCENARIOS



ATTACHMENT 4: MODIFICATIONS TO TABLE 5 AS REQUESTED (CHANGES HIGHLIGHTED)

formerly ATTACHMENT 3

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REAR SETBACK MIN MAX	NO MIN NO MAX	5' NO MAX	BLOCKS 6 – 8: NO MIN / NO MAX BLOCK 9: 5' MIN / NO MAX	5' NO MAX	NO MIN NO MAX
TRAIL BUFFER SETBACK ^B MIN MAX	NA	NA	BLOCKS 6 – 8: NA BLOCKS 9: 20' MIN/NO MAX	20' MIN NO MAX	0' MIN NO MAX
GARAGE SETBACK FRONT ACCESS MIN/MAX	TO COMPLY WITH 4.19C/ NO MAX	TO COMPLY WITH 4.19 C / NO MAX	BLOCKS 6 – 8: TO COMPLY WITH 4.19C/ NO MAX BLOCKS 9: FRAMEWORK STREET FACING GARAGE OPENINGS AND/OR GARAGE DOORS ARE NOT ALLOWED IN THIS BLOCK – ALL GARAGE ACCESS MUST BE SIDE LOADED, RELEGATED TO THE REAR OF THE BUILDING, OR ACCESSED FROM A NON-FRAMEWORK STREET OR ALLEY.	FRAMEWORK STREET FACING GARAGE OPENINGS AND/OR GARAGE DOORS ARE NOT ALLOWED IN THESE BLOCKS – ALL GARAGE ACCESS MUST BE SIDE LOADED, RELEGATED TO THE REAR OF THE BUILDING, OR ACCESSED FROM A NON-FRAMEWORK STREET OR ALLEY.	
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